

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARLOS DIAZ,

Petitioner,

-v.-

THE PEOPLE OF THE STATE OF NEW
YORK,

Respondent.

23 Civ. 3800 (KPF)

**ORDER TO ANSWER,
28 U.S.C. § 2254**

KATHERINE POLK FAILLA, District Judge:

Having determined that this petition under 28 U.S.C. § 2254 should not be summarily dismissed, the Court hereby orders that:

The Clerk of Court is directed to serve a copy of this Order and the petition on the Attorney General of the State of New York and on the District Attorney of New York County by electronic means through the use of the court's CM/ECF system.

Within sixty (60) days of the date of this Order, Respondent must file and serve: (i) an answer, motion, or other response to the petition, and (ii) the transcripts and briefs identified in Rule 5(c) of the Rules Governing Section 2254 Cases in the United States District Courts.

Petitioner may file and serve any reply papers within thirty (30) days from the date Petitioner is served with Respondent's answer.

SO ORDERED.

Dated: May 15, 2023
New York, New York



KATHERINE POLK FAILLA
United States District Judge